UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/343,758	06/30/1999	DIMITRI KANEVSKY	Y09-99-183	8306

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EXAMINER
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ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/343,758	KANEVSKY ET AL.
	Examiner	Art Unit	
	Kieu D Vu	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>02 July 2004</u>.

2a)☒ This action is **FINAL.** 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7-21,23-25 and 33-37* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,7-21,23-25 and 33-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>02 July 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2.   Claims 1-5, 7-21, 23-25, and 33-37 are rejected under 35 U.S.C. 102(a) as being

anticipated by James ("James", Netscape Navigator 3.0).

        Regarding claims 1, 14, 19, 24, 25, 33-34, and 37,James teaches a method of

transferring data across a computer network which comprise setting data transfer

constraints (Auto Load Images, Figure 8-15), requesting transfer of data (including

image and sound data (page 357) stored on a remote computer system (inherent, page

360), storing a plurality of generic objects (placeholders), each stored generic object

corresponding to an original object in data requested (placeholder for each image),

identifying at least one object (image) included in said requested data as being

associated with a generic object (placeholder, Fig. 8-16), wherein each said at least one

object is a species object of its associated said generic object (included image has

specific characteristics (such as particular image location and size) of the place holder

in Fig. 8-16, therefore, included image is reasonably interpreted as a species object of

its placeholder) and substituting a corresponding said generic object for each of said at

least one object, said substituted corresponding generic objects being transferred with

said data before associated objects (page 361, line 3), outputting said requested data

including said generic objects (Fig. 8-16) or corresponding original objects (page 361, Fig. 8-16).

Regarding claims 17 and 35, James teaches a method of compressing digital images, comprising the steps of identifying name, position, and characteristics of objects in a digital image and identifying names of identified objects (download a picture, page 352), substituting identified objects for generic objects (document templates), position data and characteristics to form a modified digital image (replace images with placeholders, Fig. 8-16) wherein each said at least one object is a species object of its associated said generic object (included image has specific characteristics (such as particular image location and size) of the place holder in Fig. 8-16, therefore, included image is reasonably interpreted as a species object of its placeholder) and displaying the modified image (page 359, last paragraph).

Regarding claims 18 and 36, James teaches a method for restoring a compressed image comprising the identifying generic objects (placeholder icons) in received image data; identifying corresponding objects (image) in subsequently received data (Fig. 8-16, page 359, last paragraph) wherein each said at least one object is a species object of its associated said generic object (included image has specific characteristics (such as particular image location and size) of the place holder in Fig. 8-16, therefore, included image is reasonably interpreted as a species object of its placeholder); substituting said identified generic objects in said received image data for said corresponding objects to form an uncompressed image and displaying said uncompressed image (page 361, line 3).

Regarding claim 2, James teaches said stored data includes image and sound data (page 337).

Regarding claim 3, James teaches the displaying compressed web browser image (page 360).

Regarding claim 4, James teaches that the remote computer system identifies generic objects (inherent).

Regarding claims 5, 13, and 21, James teaches that while the web browser image is being displayed, the remote computer system is transferring generic object codes associated with related images (page 359, last paragraph).

Regarding claim 15, James teaches that the outputting means is a video display (page 337).

Regarding claim 16, James teaches that the interface device is a speaker (page 337).

Regarding claim 20, James teaches a database with a plurality of generic objects (placeholder).

Regarding claims 7 and 23, James teaches the transferring requested object while a corresponding generic object is being displayed and when said requested object is received, replacing and displaying each corresponding generic object with each said requested object (page 359-361).

Regarding claims 8-12, James teaches specific types of constraints (page 359-361).

3.   Applicant's arguments filed 07/02/04 have been fully considered but they are not

persuasive.

In response to Applicant's argument that "James fails to indicate how the icon is

generated", it is note that such is not quite the case since the claims do not cite how a

generic object (corresponding to icon or placeholder in James' teaching) is generated.

In response to Applicant's argument that "James placeholder icon is not being

supplied independently by the originating site", it is note that such is not quite the case

since the claims do not cite that generic object (corresponding to icon or placeholder in

James' teaching) is being supplied independently by the originating site.

In response to Applicant's argument that James' teaching does not show "storing

a plurality of generic objects....said remote computer system" and "there is no reason

why one would store "a plurality of generic objects....", Applicant's attention is directed

to Figure 8-16 which illustrates several placeholders, vary in sizes and location, each

placeholder corresponds to an image. Please note that the text "a small icon appears as

a placeholder wherever an image is supposed to display" is reasonably interpreted as a

small icon acts as a placeholder to hold a place wherever an image is supposed to

display. Apparently from figure 8-16, since one image supposed to display is different in

size and location from other images, the placeholder holding place for that particular

image should be different in size and location from other placeholders which hold places

for other images.

In response to Applicant's argument that "substituting said each stored generic

object for said corresponding object" is different than James' teaching, it is noted that

line 3 of page 361 teaches, upon user's clicking the Images button, displaying the

document with graphics, i.e., the image supposed to display (in line 29 of page 359) is

now displayed on its place. Thus, when Auto Load Images is turned on, the Web page

is presented with images instead of with several different placeholders as seen in Figure

8-16 when Auto Load Images turned off. In other words, each placeholder is substituted

for the corresponding image.

In response to Applicant's argument that "nowhere does James teach "outputting

said requested data, said output data selectively including said generic objects or

corresponding original objects responsive to said data transfer constraints", it is noted

that such is not quite the case. It is apparent that James teaches in 1-6 of page 361 that

a web page is displayed; the web page includes images which are original objects.

In response to Applicant's argument regarding Exhibit A and Exhibit B, it is noted

that these exhibits were considered, however, they do not contribute to the patentability

of the claims.

4.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu.

The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4057.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached at 571-272-4048.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:
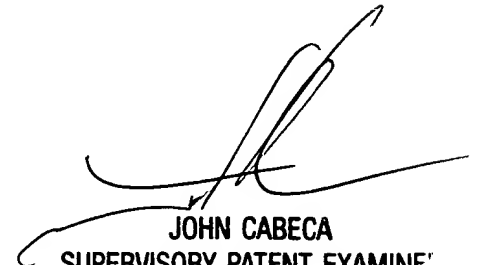
703-872-9306

and / or:

571-273-4057 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Kieu D. Vu

JOHN CABECA
SUPERVISORY PATENT EXAMINE'
TECHNOLOGY CENTER 21^^